

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, OCTOBER 10, 2022
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

MINUTES

PLEASE NOTE: There was a Closed Session, which commenced at 6:01 p.m. The Regular Meeting reconvened at 7:04 p.m.

1. PRELIMINARY

1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 6:01 p.m.

1.2 CLOSED SESSION

1.2.1 CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation - Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b) and 54956.9(e)(1)

- 2 Potential Case(s)

1.2.2 CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation - Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2)

- 1 Potential Case(s). Owner of APN 241-400-28 alleges right to purchase City-owned real property identified as APN 241-400-27.

RECONVENE – Mayor Dhaliwal reconvened the meeting at 7:04 p.m.

1.2.3 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported that direction was provided in regards to Item 1.2.1; and in regards to Item 1.2.2 the City Council unanimously voted to settle the matter, by agreeing to sell APN 241-400-27 at \$9 per square foot, based on comparable property reviewed by the City Council.

1.3 ROLL CALL

Present: Mayor Dhaliwal; Vice Mayor Lazard; and Councilmembers: Akinjo, Diallo and Torres-O’Callaghan.

Absent: None

- 1.4 INVOCATION – Councilmember Akinjo provided the invocation.
- 1.5 PLEDGE OF ALLEGIANCE – Councilmember Akinjo led the pledge of allegiance.
- 1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER - None
- 1.7 INFORMATIONAL ITEM(S) - NOTICE OF CANCELLATION OF PUBLIC HEARING

Government Services Director /City Clerk (City Clerk) Teresa Vargas announced that the following notice of cancellation was published on October 6, 2022.

- *On October 6, 2022, a Notice of Cancellation of Public Hearing was noticed for the following City Council agenda item scheduled for 7:00 p.m., Monday, October 10, 2022.*

PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE AMENDING THE SPEED LIMITS IN THE CITY OF LATHROP, TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 SPEED LIMITS, SECTION 10.08.030 SPEED LIMITS OF THE LATHROP MUNICIPAL CODE

This notice was prepared and posted in accordance with Government Code Section 54955.1 on October 6, 2022. Once the new date has been established, the new Notice of Public Hearing will be noticed/published as required by law.

- 1.8 DECLARATION OF CONFLICT(S) OF INTEREST

Vice Mayor Lazard declared a conflict of interest with Item 4.14, due to her employment with Dell’Osso Farms. Councilmember Diallo declared a conflict of interest with Item 4.14, due to an agreement with the River Islands Development.

2. PRESENTATIONS

- 2.1 ECONOMIC DEVELOPMENT UPDATE

Economic Development Administer Shelley Burcham provided the presentation covering economic development activity from July 2022 to September 2022.

3. CITIZEN’S FORUM

Government Services Director and City Clerk Teresa Vargas announced public comment letters received for Citizen’s Forum, submitted by Christina Campoy-Laughlin (Lathrop resident) expressing concern the recently adopted General Plan Update, potential warehouse and distribution centers near Lathrop High School, and provided electronic copies of paper and online signatures gathered to support her expressed concerns. John Thanh Do (Lathrop resident) expressing concern with potential warehouse and distribution centers near Lathrop High School.

Christina Campoy-Laughlin (in person speaker) expressed concern with the adopted General Plan Update, requested that the City Council open the matter for discussion at a future City Council Meeting; and expressed concern with a San Joaquin County referral to consider a Commercial Cannabis Business Park proposed near Lathrop city limits. Lawrence Abbott (zoom speaker) commented on prior environmental and wildlife projects, in which he participated in; requested a plaque for retention ponds within the city. Jack Varrella (zoom speaker) expressed concern with the adopted General Plan Update. Michelle Maddon (in person speaker) expressed concern with traffic safety and potential industrial projects near Lathrop High School. Anil Kumar (in person speaker) expressed concern with traffic safety in the Central Lathrop development area; expressed the need for additional school options to support the new development areas. Alicia Sandoval (in person speaker) expressed concern with potential warehouse and distribution centers near Lathrop High School. Arjka (zoom speaker) expressed the need for additional school options to support the new development areas; and expressed concern with speeding in Stanford Crossing. Bhimsen (zoom speaker) expressed the need for additional school options to support the new development areas and inability for Stanford Crossing residents to attend River Islands Charter Schools. Adriana Flores-Lopez (in person speaker) expressed concern with commercial truck traffic; requested an update on traffic enforcement of commercial vehicles on the residential portion of Lathrop Road; and requested a CHP enforcement operation. Jack Varella (zoom speaker – 2nd request to speak) expressed concern with navigation apps showing Lathrop Road as a commercial route.

4. CONSENT CALENDAR

On a motion by Vice Mayor Lazard, seconded by Councilmember Diallo, the City Council approved the Consent Calendar, except Item *4.14, by the following roll call vote unless otherwise indicated:

Ayes: Akinjo, Diallo, Lazard, Torres-O’Callaghan and Dhaliwal
Noes: None
Absent: None
Abstain: None

**Item 4.14 was voted on separately from the Consent Calendar.*

4.1 WAIVING OF READING OF ORDINANCES AND RESOLUTIONS

Waived the reading in full of ordinances and resolutions on agenda and adopt by reading of title only, unless otherwise requested by the Mayor or a Councilmember.

4.2 APPROVAL OF MINUTES

Approved Minutes for the Regular Council Meeting of September 12, 2022.

4.3 TREASURER'S REPORT FOR JUNE 2022

Pulled by Councilmember Diallo. A question and answer period ensued. Deputy Finance Director Thomas Hedegard and Finance Director Cari James provided additional information.

Approved Quarterly Treasurer's Report for June 2022.

4.4 AWARD JANITORIAL SERVICES CONTRACT TO KARLA'S JANITORIAL SERVICES AND SUPPLIERS

Pulled by Councilmembers Akinjo. A question and answer period ensued. Parks, Recreation and Maintenance Services Director Todd Sebastian provided additional information. Councilmember Diallo commented on using social media to promote bids. Michelle Maddon (in person speaker) commented on the matter and supported using social media to promote bids.

Adopted **Resolution 22-5154** awarding contract with Karla's Janitorial Services and Suppliers for janitorial services with term ending June 30, 2024, and approve related budget amendment.

4.5 APPROVE CIP PK 23-08 AND THE PURCHASE OF NEW PARK AMENITIES INCLUDING BENCHES, TABLES, AND TRASH RECEPTACLES TO MEET CITY STANDARDS

Adopted **Resolution 22-5155** approving CIP PK 23-08 and the purchase of new park amenities including benches, tables, and trash receptacles from Ross Recreation and Outdoor Creations to meet city standards and related budget amendments.

4.6 APPROVE PURCHASE OF ITERIS PRODUCTS FOR CITY-WIDE TRAFFIC SYSTEMS AND SAFETY UPGRADES PROJECT, CIP PS 23-01, AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 22-5156** approving the purchase of Iteris Products for the citywide traffic systems and safety upgrades project, CIP PS 23-01, and related budget amendment.

4.7 APPROVE TASK ORDER NO. 6 WITH WOODARD & CURRAN FOR THE SURFACE WATER DISCHARGE PROJECT PERMITTING SUPPORT, CIP WW 20-17

Adopted **Resolution 22-5157** approving Task Order No. 6 with Woodard & Curran for continued permitting support for the Consolidated Treatment Facility Surface Water Discharge Project, CIP WW 20-17

4.8 APPROVE TASK ORDER NO. 30 WITH 4LEAF, INC. FOR BUILDING INSPECTION SERVICES

Pulled by Councilmember Diallo. A question and answer period ensued. Assistant City Manager Michael King provided additional information.

Adopted **Resolution 22-5158** approving Task Order No. 30 with 4LEAF Inc. to provide building inspection services in the Building Department.

4.9 APPROVE CONTRACT CHANGE ORDER WITH GEORGE REED, INC. AND RELATED BUDGET AMENDMENT ASSOCIATED WITH ROAD MAINTENANCE AND REHABILITATION, CIP PS 22-45

Pulled by Councilmember Diallo. A question and answer period ensued. Assistant City Manager Michael King and City Engineer Brad Taylor provided additional information. Michelle Maddon (in person speaker) expressed concern with traffic safety within the Thomsen Road area. Brandy Perkins (in person speaker) expressed concern with traffic safety and funding projects that promote traffic safety.

Adopted **Resolution 22-5159** approving a Contract Change Order with George Reed, Inc. and approving related budget amendment associated with the Road Maintenance and Rehabilitation Project, CIP PS 22-45.

4.10 ACCEPT PUBLIC IMPROVEMENTS FROM CFT NV DEVELOPMENTS, LLC ASSOCIATED WITH EP NO. 2020-15

Pulled by Councilmember Diallo. A question and answer period ensued. City Engineer Brad Taylor provided additional information.

Adopted **Resolution 22-5160** accepting public improvements from CFT NV Developments, LLC associated with Encroachment Permit No. 2020-15.

- 4.11 CREATE CIP GG 23-07 FOR PUBLIC TRANSIT SERVICES, APPROVE MOU WITH RTD FOR A COMMUNITY NEEDS PUBLIC TRANSIT AND APPORTIONMENT STUDY, AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 22-5161** creating CIP GG 23-07 for public transit services, approving a Memorandum of Understanding with San Joaquin Regional Transit District for a Community Needs Public Transit and Apportionment Study, and approving a budget amendment.

- 4.12 APPROVAL OF OUT-OF-STATE TRAVEL FOR FIVE LATHROP POLICE DEPARTMENT SWAT OFFICERS TO PARTICIPATE IN THE CALIFORNIA ASSOCIATION OF TACTICAL OFFICERS (CATO) ANNUAL TRAINING CONFERENCE IN NOVEMBER 2022

Adopted **Resolution 22-5162** approving out-of-state travel for five Lathrop Police Department SWAT Officers to participate in the California Association of Tactical Officers (CATO) annual training conference in Reno, Nevada from November 9, 2022 to November 12, 2022.

- 4.13 APPROVE AMENDMENTS TO EMPLOYER- EMPLOYEE ORGANIZATION RELATIONS RESOLUTION AND APPROVE SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 1021 SIDE LETTER

Adopted **Resolution 22-5163** approving Amendments to the Employer-Employee Organization Relations and **Resolution 22-5164** approving a Service Employees International Union Local 1021 Side Letter.

RIVER ISLANDS CONSENT ITEM(S)

Vice Mayor Lazard and Councilmember Diallo recused themselves at 8:38 p.m., following the vote of the consent calendar (Items 4.1 to 4.13), prior to the vote of Item 4.14, due to declared conflict of interested as noted on Item 1.8. City Attorney Salvador Navarrete announced that Vice Mayor Lazard was stepping down due to receiving \$500 or more, due to her employment with Dell'Osso Farms, and Councilmember Diallo was stepping down due to an agreement with the River Islands Development, and the Fair Political Practices Commission (FPPC) determination/legal opinion on the matter was pending.

On a motion by Mayor Dhaliwal, seconded by Councilmember Torres-O'Callaghan, the City Council approved the Item 4.14, by the following roll call vote unless otherwise indicated:

Ayes: Akinjo, Torres-O'Callaghan and Dhaliwal
Noes: None
Absent: None
Abstain: Diallo and Lazard

4.14 APPROVE THE RIVER ISLANDS PHASE 2 WEST VILLAGE PRECISE PLANS FOR RIVER ISLANDS PARKWAY AND CAMBAY PARKWAY AND A COMMON USE AGREEMENT WITH RD 2062

Pulled by Councilmember Akinjo. A questions and answer period ensued. City Engineer Brad Taylor provided additional information.

Adopted **Resolution 22-5165** approving the River Islands Phase 2 West Village Precise Plans for River Islands Parkway and Cambay Parkway and a Common Use Agreement with Reclamation District 2062.

5. SCHEDULED ITEMS

Vice Mayor Lazard and Councilmember Diallo returned to the dais at 8:41 p.m. Note: See Informational Item 1.7 – for information related to Notice of Cancellation of Public Hearing for Item to consider an ordinance amending the speed limits in the City of Lathrop.

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER THE 2023 SJMSCP DEVELOPMENT FEE ANNUAL ADJUSTMENT

Community Development Director Mark Meissner and Assistant Community Development Director Rick Caguiat provided the presentation. Mayor Dhaliwal opened the public hearing. There were no speakers. Mayor Dhaliwal closed the public hearing. A question and answer period followed. City Manager Stephen Salvatore and SJCOG Representative Steve Mayo provided additional information. Mayor Dhaliwal re-opened the public hearing. Lawrence Abbott commented on the matter and his prior experience with environmental projects. There were no other speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Vice Mayor Lazard, seconded by Councilmember Torres-O'Callaghan, the City Council considered the following:

1. Held a public hearing; and
2. Adopted **Resolution 22-5166** approving an annual adjustment to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) Development Fee for 2023.

Ayes: Akinjo, Diallo, Lazard, Torres-O'Callaghan and Dhaliwal
Noes: None
Absent: None
Abstain: None

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER VESTING TENTATIVE SUBDIVISION MAP VTM-22-100 FOR THE QUEIROLO ROAD SUBDIVISION PROJECT

Community Development Director Mark Meissner and Assistant Community Development Director Rick Caguiat provided the presentation. A question and answer period ensued throughout the presentation. Applicant Adam Foster, Entitlement Manager for DR Horton, provided additional project information. Mayor Dhaliwal called upon Fire Chief Bramell to comment on the proposed setbacks for the project for public safety access. Chief Bramell states the proposed setbacks were acceptable. The question and answer period continued. Prior to public hearing, Michelle Maddon (in person speaker), commented on the need to construct future schools to support new housing development.

Mayor Dhaliwal opened the public hearing. Government Services Director and City Clerk Teresa Vargas announced public comment letter, submitted by Sally Thonrber (Lathrop landowner). Ms. Thonrber spoke during the public hearing regarding her development project within the proposed project. Lawrence Abbott (zoom speaker) commented on the matter; expressed concern with limited school capacity and environmental/climate change matters. Adriana Flores-Lopez (in person speaker) commented on CEQA requirements, and water and wastewater delivery to the project. There were no other speakers. Mayor Dhaliwal closed the public hearing.

On a motion by Councilmember Akinjo, seconded by Mayor Dhaliwal, the City Council considered the following:

1. Held a public hearing; and
2. Adopted **Resolution 22-5167** approving Vesting Tentative Subdivision Map (VTM-22-100) for the proposed Queirolo Road Subdivision Project to create 85 single-family residential lots.

Ayes: Akinjo, Diallo, Lazard, Torres-O'Callaghan and Dhaliwal
Noes: None
Absent: None
Abstain: None

5.3 CREATION OF CAPITAL IMPROVEMENT PROJECT (CIP) GG 23-06 TEMPORARY ANIMAL SHELTER, RATIFICATION OF EMERGENCY PURCHASE OF TWO 6-KENNEL ANIMAL SHELTERS, AND APPROVAL OF EMERGENCY PURCHASE OF 18-KENNEL ANIMAL SHELTER AND RELATED BUDGET AMENDMENT

Police Commander Stephen Sealy provided the presentation. A question and answer period followed. City Manager Stephen Salvatore provided additional information.

Michelle Maddon (in person speaker), expressed concern with the funding requested for the project; and expressed concern with the location of the temporary animal shelter. Lawrence Abbott (zoom speaker), commented the matter; expressed interest in the beautification of retention ponds. The question and answer period continued.

On a motion by Vice Mayor Lazard, seconded by Councilmember Torres-O'Callaghan, the City Council adopted **Resolution 22-5168** creating Capital Improvement Project (CIP) GG 23-06 Temporary Animal Shelter, ratifying emergency purchase of two 6-kennel animal shelters, and approving emergency purchase of 18-kennel animal shelter from Horizon Structures and approving related budget amendment.

Ayes: Akinjo, Diallo, Lazard, Torres-O'Callaghan and Dhaliwal
Noes: None
Absent: None
Abstain: None

5.4 FISCAL YEAR (FY) 2021-22 YEAR-END BUDGET REPORT AND RELATED AMENDMENTS AND AMENDMENTS TO THE FISCAL YEAR 2022-23 BUDGET

Deputy Finance Director Thomas Hedegard provided the presentation. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore and Finance Director Cari James provided additional information.

On a motion by Councilmember Akinjo, seconded by Vice Mayor Lazard, the City Council adopted **Resolution 22-5169** approving the FY 2021-22 Year-End Report and related Budget Amendments, and amending the FY 2022-23 Budget.

Ayes: Akinjo, Diallo, Lazard, Torres-O'Callaghan and Dhaliwal
Noes: None
Absent: None
Abstain: None

5.5 REVIEW AND CONSIDER TRAFFIC CALMING OPTIONS FOR JOHNSON FERRY ROAD AND THE INTERSECTION OF THOMSEN ROAD / WARFIELD ROAD

City Engineer Brad Taylor provided the presentation. A question and answer period ensued throughout the presentation. City Manager Stephen Salvatore provided additional information. Michelle Maddon (in person speaker) expressed concern with traffic safety on Thomsen Road and Warfield Road. Fire Chief Bramell commented on traffic calming devices, such as speed humps/bumps as it relates to emergency response. The City Council considered the proposed options, and provide staff direction for traffic calming improvements, including installing speed bumps for Johnson Ferry Road and at the intersection of Thomsen Road / Warfield Road.

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALIWAL REFERRAL - Appointment of One (1) Member to the Youth Advisory Commission, with Term Ending, May 31, 2023
- One (1) Application Received / Nine (9) Commission Member Vacancies Available

Mayor Dhaliwal made the following appointment:

Youth Advisory Commission
Bradley Hurlburt

Term Expires
May 31, 2023

On a motion by Mayor Dhaliwal, seconded by Councilmember Torres-O'Callaghan, the City Council approved the appointment made by Mayor Dhaliwal as noted above.

Ayes: Akinjo, Diallo, Lazard, Torres-O'Callaghan, and Dhaliwal
Noes: None
Absent: None
Abstain: None

- 6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S) - *None*
- 6.3 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmembers wished students an enjoyable fall break; expressed condolences to the Singh Family; congratulated the Police Department on winning first place on a recent regional police department athletic competition; and wished everyone a goodnight.

7. **ADJOURNMENT** – There being no further business, Mayor Dhaliwal adjourned the meeting at 11:35 p.m.



Teresa Vargas, MMC
Government Services Director / City Clerk